

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Patent Application of:  
Takeyoshi ITO

Allowed: August 14, 2007

Application No.: 10/047,022

Confirmation No.: 5712

Filed: January 17, 2002

Art Unit: 2622

For: DIGITAL CAMERA USING AN  
INDICATING DEVICE TO INDICATE A  
PLURALITY OF FUNCTIONS

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Examiner: K. L. Jerabek

**COMMENTS ON STATEMENT OF REASONS  
FOR ALLOWANCE UNDER 37 CFR §1.104(E)**

MS Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant has received the Examiner's Statement of Reasons for Allowance with the August 14, 2007 Notice of Allowance and Allowability regarding the above-identified application. In response to the Statement, Applicant offers the following comments.

**REMARKS**

Claims 6, 38, 40, 42, and 44 have been allowed.

**Comments on Statement of Reasons for Allowance**

Entry of the Statement into the record should not be construed as any agreement with or acquiescence in the reasoning stated by the Examiner. The Examiner's Statement was not prepared by Applicant and only contains the Examiner's possible positions in one or more

reasons for allowability. Thus, any interpretation with respect to the Examiner's Statement of Reasons for Allowance should not be imputed to the Applicant.

Further, in the Statement of Reasons for Allowance, the Examiner offers a generic statement as to why independent claims 38, 42, and 44 are allowable over the prior art of record. As such, Applicant wishes to emphasize that each claim should be separately considered, as a whole, as being allowable over the prior art of record. For example, in the stated reasons for allowing claims 38, 42, and 44, the Examiner lists the feature of "an indicating device which...indicates a situation of self-timer image-capturing *by at least one of lighting and blinking,*" even though claims 42 and 44 do not recite this feature. Thus, each claim should be separately considered and should not, in any way, be limited by elements mentioned by the Examiner, but not present in the claims.

Thus, Applicant respectfully emphasizes that each claim should be considered separately, as a whole, taking into consideration the various interrelationships and interconnections between the various claim elements, and should be interpreted based upon its specific claim language and other appropriate parameters.

**Conclusion**

If the Examiner has any questions or needs to discuss any matters dealing with this application, he is requested to contact Jason W. Rhodes at (703) 205-8000 in the Washington, D.C. area.

Dated: September 21, 2007

Respectfully submitted,

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